

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JOAN E. MORRIS-BELCHER,)	
TIFFANY C. McCRAVEY, RISHA)	
HAMLIN, and CHANDRA SHERRILL,)	
)	
Plaintiffs,)	
)	1:04CV255
v.)	
)	
HOUSING AUTHORITY OF THE)	
CITY OF WINSTON-SALEM,)	
)	
Defendant.)	

ORDER AND JUDGMENT

BEATY, District Judge.

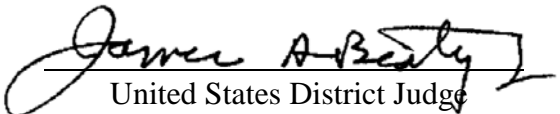
This matter is before the Court on a Motion for Summary Judgment [Document #26] by the Defendant Housing Authority of the City of Winston-Salem (“Defendant” or “Housing Authority”). Also before the Court is a Motion by Plaintiffs Joan E. Morris-Belcher, Tiffany C. McCravey, Risha Hamlin, and Chandra Sherrill (collectively “Plaintiffs”) for Leave to File a Response Out of Time [Document #31], and a corresponding Motion by Defendant seeking to strike Plaintiffs’ untimely Response [Document #37].

For the reasons discussed in the Memorandum Opinion filed contemporaneously herewith, the Court concludes that Plaintiffs have failed to establish excusable neglect to justify their failure to file a Response within the time period to which they previously agreed and which was designated as a “firm” deadline by Court Order. Therefore, Plaintiffs’ Motion for Leave to File a Response Out of Time [Document #31] is DENIED, and Defendant’s corresponding Motion to Strike the Untimely Response [Document #37] is GRANTED. Plaintiffs’ Proposed Response and Affidavits (submitted as attachments to Document #31) are ordered STRICKEN.

In considering Defendant's Motion for Summary Judgment, the Court concludes that Plaintiffs have failed to establish a prima facie case of discrimination, and have failed to present any evidence that would create an inference that they were terminated on the basis of sex. Plaintiffs have further failed to present any evidence to establish the existence of a hostile work environment or "sexual harassment" that would constitute discrimination on the basis of sex. Because there are no genuine issues of material fact, and because there is no evidence from which a reasonable jury could conclude that Plaintiffs were terminated because of their sex, or were subjected to a hostile work environment, the Court concludes that summary judgment is appropriate. Therefore, Defendant's Motion for Summary Judgment [Document #26] is GRANTED, and Plaintiffs' claims are DISMISSED WITH PREJUDICE.

To the extent that Plaintiffs have requested a delay in the trial setting of this case [Document # 34], that request is DENIED AS MOOT. Finally, to the extent that the Magistrate Judge in his Order imposing sanctions also recommended that certain of Plaintiffs' claims be dismissed for various discovery abuses, that Recommendation [Document #32, 39] is now MOOT. However, the Court retains jurisdiction in this matter as necessary to allow the Magistrate Judge to enforce his Order imposing sanctions [Document #32].

This, the 17 day of June, 2005.


United States District Judge